

160 SANSOME STREET
17TH FLOOR
SAN FRANCISCO, CA 94104

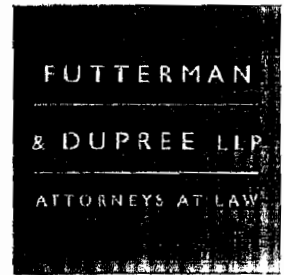
PHONE 415-399-3840
FAX 415-399-3838

WRITER'S DIRECT DIAL
415-399-3841
martin@dfdlaw.com

FILED

MAY 29 2008

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA



May 29, 2008

VIA FACSIMILE AND FIRST-CLASS MAIL

E-filing

Stephen Glick
1055 Wilshire Blvd., Ste. 1480
Los Angeles, CA 90017

Scott A. Brooks
1801 Century Park East, #900
Los Angeles, CA 90067

Damon M. Ott
Robert G. Hulteng
Littler Mendelson, P.C.
650 California St., 20th Fl.
San Francisco, CA 94108

Re: *Jones v. Velocity Express Leasing, Inc.*
Case Nos. C08-00773 VRW ENE

Dear Counsel:

As you know, I have been appointed by the District Court to serve as the Early Neutral Evaluator ("ENE") in this case under the court's ENE program. Please be sure to review carefully ADR L.R. 5 which governs the ENE program. I have attached a resume describing my professional experience.

Pursuant to ADR L.R. 5-7, I will conduct a phone conference with all counsel before the formal mediation to discuss the following:

- ▶ the procedures to be followed;
- ▶ the nature of the case;
- ▶ appropriate dates for the ENE session;
- ▶ the parties who will be present at the session;
- ▶ ideas to improve the effectiveness of the ENE session or matters that could pose impediments;
- ▶ requirements for your written ENE statements; and
- ▶ any questions you might have about the ENE program.

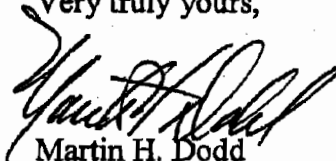
I anticipate that the telephone conference will last approximately one-half hour. My secretary will call each of you in the next few days to determine your availability for the

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telephone conference, which I hope to conduct before June 15, 2008. Before the telephone conference, please ascertain from your clients a selection of dates upon which the ENE session may be conducted. We will discuss scheduling on our telephone call.

My conflicts check revealed no actual or potential conflicts of interest under 28 U.S.C. §455(a) and (b), and I am not aware of any other circumstances that would compromise my impartiality or the appearance of impartiality. I look forward to speaking with you.

Very truly yours,



Martin H. Dodd

Enclosure

cc: Alice Fiel (w/o encl.)